

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 15, 2009

DIVISION ONE

B204610 People (Not for Publication)
v.
Lancelott Green

The judgment is affirmed.

Rothschild, J.

We concur: Mallano, P.J.
 Weisberg, J. (Assigned)

B199214 People (Not for Publication)
v.
Hall

The judgment is affirmed.

Rothschild, J.

We concur: Mallano, P.J.
 Bauer, J. (Assigned)

DIVISION TWO

B205301 People v. Bobier (Not for Publication)

The judgment is affirmed.

Chavez, J.

We concur: Boren, P.J.
Doi Todd, J.

B213360 Stites (Not for Publication)
v.
Superior Court, Los Angeles County
(Hilton Hotels Corporation et al., r.p.i.)

Let a peremptory writ issue directing respondent to vacate the August 11, 2008 order granting Hilton's motion for an order directing DKN Hotels, LLC, DKN, LLC and QSSC, LLC to place settlement monies in the amount of \$14,750.32 in a trust account pending finalization of petitioner's appeal. Respondent shall thereafter enter a new and different order denying Hilton's motion. Petitioner to recover costs incurred in connection with this petition.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Chavez, J.

January 15, 2009 (Continued)

DIVISION TWO (continued)

B207522 People (Not for Publication)
v.
Kiss

The Court:

The judgment is affirmed.

Boren, P.J., Ashmann-Gerst, J., Chavez, J.

B204795 In re J.L.
 Los Angeles County, D.C.F.S.
 v.
 J.E.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION THREE

B203651 Roe, etc., et al. (Not for Publication)
v.
McClellan, etc., et al.

The restraining order and judgment of permanent injunction are affirmed. McClellan is to pay all costs on appeal.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (continued)

B202056 Charness, et al. (Not for Publication)
 v.
 Rand, et al.

The order denying disqualification is affirmed. Gallegos and the Attorneys Rand shall recover their costs on appeal. As the attorneys' conduct in this case has already been brought to the attention of the California State Bar, the Clerk of this court is directed to forward a copy of this opinion to that entity for whatever action it deems appropriate.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B196993 Li, et al. (Not for Publication)
 v.
 Wu, et al.

The judgment and post-trial order are affirmed. The parties are to bear their own costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Kitching, J.

B205677 People (Not for Publication)
 v.
 Henry Newman

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

DIVISION THREE (continued)

B200878 Trago International, Inc., etc., et al. (Not for Publication)
 v.
 Montgomery, et al.

The order is reversed and remanded to the trial court to enter judgment for appellants and to entertain motions for attorney's fees and costs of appeal pursuant to Code of Civil Procedure section 425.16, subdivision (c).

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy Clerk.

Each of the following:

B204336 Castro v. Wright, et al.
B207147 People v. Johnson
B204823 People v. Torres
B205652 People v. Landeverde
B204002 People v. Moran
B207302 D.C.F.S. v. M.R.

Argument waived, cause submitted.

B205764 Nesh
 v.
 Dynoil Refining, et al.

Merits:
Argued by Herb Fox for appellant and by Stephen M. Smith for respondents. Cause submitted.

DIVISION FOUR (continued)

B197670 County of Los Angeles
v.
Lincoln General Insurance

Merits:

Argued by Robert W. Hicks for appellant and by Brian T. Chu for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy Clerk.

Each of the following:

B205310 People v. Lorenzo
B207754 D.C.F.S. v. M.M., et al.

Argument waived, cause submitted.

B201906 People
v.
Jimenez

Merits:

Argued by Jonathan P. Milberg for appellant and by Michael A. Katz, Deputy Attorney General for respondent. Cause submitted.

B204800 Speck
v.
Pacific Cycle, Inc.

Merits:

Argued by Andrew D. Morrison for appellant and by Laurie DeYoung for respondent. Submission deferred. Supplemental briefing will be requested via letter. Matter to be submitted upon receipt of supplemental briefs.

DIVISION FOUR (continued)

B202067 Thrifty Payless, Inc.
v.
Carrier Commercial Refrigeration, Inc.

Merits:

Argued by Kyle Kveton for appellant and by Kevin T. Dunbar for respondent. Cause submitted.

B199980 Tovar et al.
v.
Bank of America

Merits:

Argued by Norman Pine for appellants and by George W. Abele for respondent. Cause submitted.

Court adjourned.

DIVISION FIVE

B201887 People (Not for Publication)
v.
Regina Peel

The abstract of judgment and minute order of proceedings on July 26, 2007, are corrected to reflect restitution to be paid to victims is \$55,535, rather than \$101,787.91, pursuant to section 1202.4 subdivision (f). In all other respects, the judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
Armstrong, J.

DIVISION FIVE (continued)

B209849 Los Angeles County, D.C.F.S. (Not for Publication)

v.

M.S.

In re C.J. a juvenile

The order is affirmed.

Mosk, J.

We concur: Turner, P.J.

 Armstrong, J.

B202568 People (Not for Publication)

v.

Benjamin Goodeau, et al.,

The judgment is modified to include the additional penalty assessments, surcharges, and fees set forth in the body of this opinion. Upon remittitur issuance, the trial court is to either strike or impose the remaining four section 667.5 subdivision (b) enhancements as to Mr. Johnson. And, the clerk of the superior court is directed to prepare amended abstracts of judgment reflecting the trial court's imposition of section 667.5, subdivision (b) enhancements and the additional \$20 court security fee pursuant to Penal Code section 1465.8, subdivision (a)(1) as to Mr. Goodeau. The superior court clerk is to forward a copy of each amended abstract of judgment to the Department of Corrections and Rehabilitation. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.

 Mosk, J.

B206091 Colachis, et al.,

v.

Griswold, et al.,

Filed order denying petition for rehearing.

DIVISION SIX

Court convened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., P. McGill, Chief Deputy Clerk and G. Bents, Senior Deputy Clerk.

B199699 People v. Williams

Argument continued to February, 2009.

Each of the following:

B199032 People v. Arellanes
B201453 People v. Soto
B202501 People v. Gomez
B202905 People v. Graven
B203487 People v. Alcaraz
B203966 People v. Flores
B205162 People v. Richardson
B206088 People v. Garibay
B206200 People v. Reyna
B206863 People v. Arteaga
B207259 People v. Chavez
B207540 People v. Blandon

Argument waived, cause submitted.

B203335 People
 v.
 Daniels

Merits:

Argued by David Andrew Andreasen for appellant and by Nima Razfar, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (continued)

B204343 People
 v.
 Keefe

Appearances:

David Andrew Andreasen for appellant and Ana R. Duarte, Deputy Attorney General, for respondent via video conference. Argument waived, cause submitted.

B207380 People
 v.
 Melendez

Merits:

Argued by Lyn A. Woodward for appellant and by David Zarmi, Deputy Attorney General, for respondent via video conference. Cause submitted.

B202533 People
 v.
 Collins

Merits:

Argued by Lyn A. Woodward for appellant and by A. Scott Hayward, Deputy Attorney General, for respondent via video conference. The court allows counsel for appellant two (2) weeks to serve and file supplemental briefing on additional issues. The court allows counsel for respondent two (2) weeks thereafter to serve and file any response on additional issues. Submission is deferred 30 days.

B203640 People
 v.
 Macias

Merits:

Argued by Deborah L. Hawkins for appellant and by Roy C. Preminger, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (continued)

B208705 In re Molina
on
Habeas Corpus

Merits:

Argued by Greg J. Marcot, Deputy Attorney General, for appellant and by Michael Satris for respondent. Cause submitted.

Gilbert, P.J. left the bench.

B206383 People
v.
Holm

Merits:

Argued by William R. Pardee for appellant and by Roberta L. Davis, Deputy Attorney General, for respondent via video conference. Cause submitted.

Court adjourned.

DIVISION EIGHT

B208468 People (Not for Publication)
v.
C.S.

The judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
O'Neill, J. (Assigned)

January 15, 2009 (Continued)

DIVISION EIGHT (continued)

B204568 People (Not for Publication)
v.
Ray

The judgment is affirmed and the petitions for writ of habeas corpus (case No. B209580 filed July 28, 2008, and case No. B210830 filed September 22, 2008) are denied.

Bigelow, J.

We concur: Rubin, Acting P.J.
O'Neill, J. (Assigned)

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The judgment is affirmed.

Flier, J.

We concur: Rubin, Acting P.J.
Bigelow, J.